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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/455,956	12/07/1999	TAPIO HAMEEN-ANTTILA	4925-16	5781

7590

03/12/2002

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EXAMINER

WHITE, CARMEN D

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 03/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/455,956

Applicant(s)

HAMEEN-ANTTILA, TAPIO

Examiner

Carmen D. White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

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DETAILED ACTION

Continued Prosecution Application

The request filed on November 16, 2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/455,956 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobb et al (5,810,680) in view of Rudow et al (5,878,369).

Regarding claims 1 and 3, Lobb discloses a system of transmitting sport data between a mobile terminal and a sport server the system including the following steps: establishing communication between the mobile terminal and the sport server via a communications network; inputting sport data into the mobile terminal; transmitting the inputted sport data from a mobile unit to a sport server via a public communications network (col. 8, line 1-26; col. 8, lines 59-67; col. 9; Fig. 2; Fig. 2A); and recording the data into a database (Lobb- col. 8, lines 59-67 through col. 9, lines 1-23; Fig. 2, Fig. 2A, abstract). While Lobb teaches the use of the system for a particular sport, golf, Lobb does not teach the step of allowing the user to select a sport to which the sport data pertains. It would have been obvious to a person of ordinary skill in the art to use the

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computer sports data system of Lobb to store various types of sports information. This is merely an obvious matter of choice well within the capabilities of those skilled in the art. The mobile unit of Lobb is capable of allowing the user to input various types of information. The use of computers to input information and store them in different databases is well known in the art.

Also, regarding the newly added feature of directly transmitting the inputted sport data from the mobile terminal to the sport server (same as base station computer in Rudow et al), Rudow teaches this feature of constant direct transmission of sport's data (golf data) from the mobile units to the base station computer (Fig. 1A, #25; col. 4, lines 37-68).

Regarding claim 2, Lobb teaches all the limitations of the claims as discussed above. The references further teach the determination of a geographical location of the mobile terminal (Lobb- abstract). While Lobb teaches that the communication between the mobile terminal and the sports server is specific to the area in which the mobile terminal is located, Lobb does not teach the accessing of different sports databases in response to the geographical information. It would have been obvious to include this feature in the systems of Lobb as a matter of programming the software of the systems to access various databases. This is merely an obvious matter of choice well within the capabilities of those skilled in the art.

Regarding claims 5 and 9-11, 13-20, Lobb in view of Rudow discloses all the limitations of the claims as discussed above. Lobb further teaches the prompting of the users to input information (Lobb- col. 9, lines 14-17). Lobb lacks teaching the inputting

of a particular type of sport. It would have been obvious to include this feature in Lobb as an obvious matter of choice well within the capabilities of those skilled in the art. This would merely involve including this feature in the software programs of Lobb.

Regarding claims 4, 6-8, 12 and 21 Lobb in view of Rudow discloses all the limitations of the claims as discussed above. Lobb lacks disclosing the identification of a type of output device. In an analogous sports database system, Rudow et al teach the assignment of a unique ID number to mobile units (col. 5, lines 6-7). It would have been obvious to a person of ordinary skill in the art to employ ID numbers in the system of Lobb in order to allow the systems to determine what type of output device each of the mobile units are.

Examiner's Response to Applicant's Remarks

Applicant's arguments with respect to the amendments of claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection. The examiner has included the Rudow et al reference to teach the direct transmission of inputted sport data from the mobile terminal to the sport server (see above).

USPTO Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmen D. White whose telephone number is 703-308-5275. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

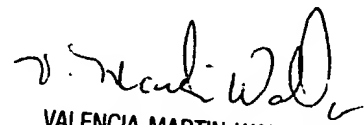
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703-308-4119. The fax phone

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numbers for the organization where this application or proceeding is assigned are 703-308-7768 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.


C. White
Patent Examiner


VALENCIA MARTIN-WALLACE
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